

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

SAM STAMEY,)	
)	
Plaintiff,)	
)	Case No. 3:19-cv-00250-DRL-MGG
v.)	
)	
FOREST RIVER, INC.,)	
)	
Defendant.)	

**DEFENDANT FOREST RIVER, INC.'S
MOTION FOR SUMMARY JUDGMENT**

Under Federal Rule of Civil Procedure 56, Defendant Forest River, Inc. respectfully requests that this Court determine that there is no genuine dispute of material fact and that Forest River is entitled to judgment as a matter of law on all claims, as explained more fully in Forest River's supporting memorandum and its exhibits.

First, there is no genuine issue of material fact regarding Plaintiff Sam Stamey's claims under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-3, and the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621 *et seq.* Forest River did not discriminate against him based on sex or age, and he was not subjected to a hostile-work environment by his coworkers. Moreover, there is no basis for employer liability because Forest River reasonably responded to the complaints that Stamey raised despite the lack of detail he provided.

Second, no reasonable juror could conclude that Forest River retaliated against Stamey. There is no evidence of a materially adverse action or retaliatory animus.

THEREFORE, for the reasons set forth in the accompanying memorandum and exhibits, Forest River respectfully requests that the Court grant Forest River's motion for summary judgment and enter judgment in its favor on all of Stamey's claims.

Dated: July 30, 2020

Respectfully submitted,

/s/ R. John Kuehn

R. John Kuehn (22434-71)

Jesse M. Barrett (23811-71)

SouthBank Legal: LaDue | Curran | Kuehn

100 East Wayne Street, Suite 300

South Bend, Indiana 46601

(574) 968-0760 (telephone)

(574) 968-0761 (facsimile)

jkuehn@southbank.legal

jbarrett@southbank.legal

Attorneys for Defendant

Forest River, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of July 2020, service of a true and complete copy of the attached and foregoing pleading was made upon all counsel of record through CM/ECF filing.

/s/ R. John Kuehn

R. John Kuehn